

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:	§	
	§	
REMARKABLE HEALTHCARE OF CARROLLTON, LP et al.¹,	§	Chapter 11
	§	Case No. 18-40295
Debtors.	§	(Jointly Administered)
	§	
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LARRY A. LEVICK, LITIGATION TRUSTEE OF THE UNSECURED CREDITORS' LITIGATION TRUST (A/K/A THE REMARKABLE LITIGATION TRUST),	§	
	§	
	§	
	§	
Plaintiff,	§	
	§	
v.	§	ADVERSARY No. 20-04021
	§	
LAURIE BETH MCPIKE,	§	
	§	
Defendant.	§	

PLAINTIFF'S NOTICE OF DISMISSAL OF ADVERSARY PROCEEDING

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, Larry A. Levick, Litigation Trustee of the Unsecured Creditors' Litigation Trust (a/k/a the Remarkable Litigation Trust)(the "**Trustee**") pursuant to the Chapter 11 Plan of Reorganization of Remarkable Healthcare of Carrollton, LP, and files this, his *Notice of Dismissal*

¹ The Debtors in these jointly-administered chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Remarkable Healthcare of Carrollton, LP (5960), Remarkable Healthcare of Dallas, LP (3418), Remarkable Healthcare of Fort Worth, LP (1650), Remarkable Healthcare of Seguin, LP (4566), and Remarkable Healthcare, LLC (5142).

Adversary Proceeding Without Prejudice and, in support of same, would respectfully show the Court as follows:

I. PROCEDURAL BACKGROUND

1. On February 12, 2020, the Trustee filed his *Complaint to Avoid Preferential and/or Preferential Transfers and to Disallow Claims* against Laurie Beth McPike [**Dkt. No. 455** in the main bankruptcy case] initiating this adversary proceeding, No. 20-04021. The Defendant has presented the Trustee with documentation of valid defenses to the claims set forth in the Complaint.

II. ARGUMENT AND AUTHORITY

2. Federal Rule of Civil Procedure 41(a)(1)(A), made applicable by Federal Rule of Bankruptcy Procedure 7041, says that “the plaintiff may dismiss an action without a court order by filing: (a) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.”

3. The Defendant has not served an answer or a motion for summary judgment. The Plaintiff, therefor, is entitled to file this Notice of Dismissal.

III. PRAYER

WHEREFORE, PREMISES CONSIDERED, Larry A. Levick, Litigation Trustee for the Unsecured Creditors’ Litigation Trust, gives notice to this Court that he is dismissing above-titled and numbered adversary proceeding.

Dated: May 29, 2020

Respectfully submitted,

SINGER & LEVICK, P.C.

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